

DOW, LOHNES & ALBERTSON, PLLC

ATTORNEYS AT LAW

TODD D. GRAY

DIRECT DIAL 202-776-2571
tgray@dlaalaw.com

WASHINGTON, D.C.

1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 • FACSIMILE 202-776-2222

ONE RAVINIA DRIVE • SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8800
FACSIMILE 770-901-8874

August 12, 2005
DOCKET FILE COPY ORIGINAL

By ECFS, Email and Regular Mail

Marlene H. Dortch, Esq.

Secretary

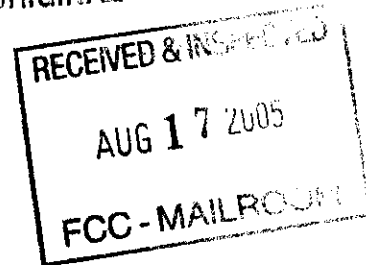
Federal Communications Commission

445 12th Street, S.W.

Washington, D.C. 20554

ATTENTION: Nazifa Sawez

Room 2-A726



NOTE: No filing fee required

Re: DTV Channel Election of NTSC Channel 10
NCE Station WCBB(TV/DT), Augusta, Maine
Facility ID No. 39659 / FRN: 0003293008
Form 383 FCC File No. BFR CET-20050708AAU
MB Docket No. 03-15

Dear Ms. Dortch:

On behalf of Maine Public Broadcasting Corporation ("MPBC"), licensee of noncommercial educational television station WCBB(TV/DT), Augusta, Maine, and pursuant to "DTV Channel Election: First Round Conflict Decision Extension and Guidelines for Interference Conflict Analysis," Public Notice, DA 05-2233, August 2, 2005 ("Public Notice"), we hereby submit the following information to supplement MPBC's election of its NTSC Channel 10 for station WCBB-DT, as reflected in its FCC Form 383 submission (FCC File No. BFR CET-200500708AAU:

-- A copy of an interference acceptance agreement (titled "Amended Negotiated Channel Election Conflict Resolution Agreement") between MPBC as licensee of WCBB-DT and MPBC as licensee of noncommercial educational television station WMEB-DT, Orono, Maine, pursuant to which MPBC as licensee of WMEB-DT on Channel 9 has agreed to accept 3.1% interference from WCBB-DT as specified in the FCC's letter of June 5, 2005; and

-- A copy of an Engineering Report from MPBC which provides public interest justification for the Commission's allowance of the specified level of interference from WCBB-DT to WMEB-DT.

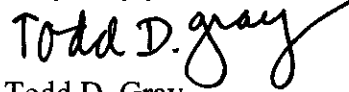
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Nazifa Sawez
August 12, 2005
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MPBC is a noncommercial educational licensee and operates Station WCBB (TV/DT) on a noncommercial educational basis. The station is therefore exempt from FCC filing fee requirements pursuant to Section 1.1114 of the Commission's Rules, and the facility is exempt from FCC regulatory fees, pursuant to Section 1.1162 of the Rules.'

Should any questions arise concerning this matter, kindly contact this office.

Very truly yours,

A handwritten signature in black ink that reads "Todd D. Gray". The signature is written in a cursive, flowing style.

Todd D. Gray
Counsel for Maine Public Broadcasting Corporation

**AMENDED NEGOTIATED DTV CHANNEL ELECTION
CONFLICT RESOLUTION AGREEMENT**

RECEIVED & INSPECTED
AUG 17 2005
FCC - MAILROOM

Maine Public Broadcasting Corporation ("MPBC"), as licensee of noncommercial educational Station WMEB-TV/DT, Orono, Maine, and MPBC, as licensee of noncommercial educational Station WCBB(TV)/DT, Augusta, Maine, hereby enters this AMENDED NEGOTIATED DTV CHANNEL ELECTION CONFLICT RESOLUTION AGREEMENT ("Agreement") on this 11 day of August, 2005.

WHEREAS, MPBC has been allotted digital television ("DTV") Channel 9, Orono, Maine, by the Federal Communications Commission ("FCC") as the paired DTV channel for Station WMEB-TV, Channel 12, Orono, Maine;

WHEREAS, MPBC has also been allotted DTV Channel 17, Augusta, Maine by the FCC as the paired DTV channel for its Station WCBB(TV), Channel 10, Augusta, Maine;

WHEREAS, MPBC has elected Channel 10 as its permanent digital channel for WCBB-DT, and Channel 9 as its permanent digital channel for WMEB-DT, in the first round election established by the FCC in the *Report and Order in the Matter of Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television* (MB Docket No. 03-15) ("Second Periodic Review Decision");

WHEREAS, by letter dated June 7, 2005, the FCC informed MPBC that the election of Channel 10 for WCBB-DT would result in impermissible interference to the elected DTV Channel 9 of WMEB-DT;

WHEREAS, MPBC, as licensee of WMEB-TV/DT, and MPBC, as licensee WCBB(TV)/DT, entered into a NEGOTIATED DTV CHANNEL ELECTION CONFLICT RESOLUTION AGREEMENT on June 30, 2005; and

WHEREAS, by Public Notice dated August 2, 2005, in DA 05-2233, the FCC set forth guidelines for interference agreements concerning the resolution of first round DTV channel elections;

NOW, THEREFORE, in consideration of the foregoing, MPBC, for WMEB-TV/DT, and MPBC, for WCBB(TV)/DT, hereby agrees as follows:

1. MPBC, on behalf of WMEB-DT, Channel 9, will accept interference from digital television facilities of WCBB-DT, Channel 10, as permitted by the Second Periodic Review Decision, and in the amount of 3.1 %, as specified in the aforementioned FCC letter of June 5, 2005.
2. MPBC certifies that, in accordance with the Second Periodic Review Decision, WMEB-DT will be able to serve all of its community license despite the interference from WCBB-DT.
3. Except for the foregoing, this Agreement imposes no other obligation on either party, including any obligation on the part of either Station WMEB-TV/DT or WCBB(TV)/DT to take any action to resolve any interference that may be caused or received by either Station to or from the other Station.
4. This Agreement shall run with the licenses for WMEB-DT and WCBB-DT. It shall automatically be assigned to, and be binding on, any and all successor licensees of each of Station WMEB-DT and WCBB-DT.
5. This Agreement is executed in connection with the FCC Form 383 filing of WCBB(TV/DT) in FCC File No. BFR CET-20050708AAU.

AGREED, as of the date noted above:

**MAINE PUBLIC BROADCASTING
CORPORATION, for WMEB-TV/DT**

By: 

Name: Alexander G. Maxwell, Jr.

Title: Senior Vice President

**MAINE PUBLIC BROADCASTING
CORPORATION, for WCBB(TV)/DT**

By: 

Name: Alexander G. Maxwell, Jr.

Title: Senior Vice President

Engineering Report
Channel Conflict Resolution
WMEB-DT and WCBB-DT

August 2005

This Engineering Report is prepared for Maine Public Broadcasting Corporation (MPBC); licensee of WMEB-DT, Channel 9, Orono Maine and WCBB-DT, proposed Channel 10, Augusta, Maine, in support of MPBC's request to allow WCBB-DT to operate on Channel 10 after digital transition is complete, despite causing interference to WMEB-DT on Channel 9.

Both WCBB and WMEB are part of the statewide, non-commercial television network operated by MPBC. This filing is in response to the FCC letter received on June 7, 2005, reference 2-A726-NS, stating that operation of WCBB-DT on Channel 10 would cause an interference level to WMEB-DT of 3.1%.

MPBC requests permission to operate with WCBB-DT on Channel 10 and accepts the interference caused by this operation to WMEB-DT.

Reasons for Allowance of Conflict Resolution Agreement

As stated in the FCC letter, digital operations of WCBB-DT on Channel 10 will exceed the permissible 0.1% interference limit by 3%.

However, for the following reasons MPBC urges that it is in the best interest of the people served by our stations that we be allowed to operate WCBB-DT on Channel 10 as proposed, despite the additional interference to WMEB-DT on Channel 9.

- WCBB operates in the Portland, Maine (78) DMA and WMEB operates in the Bangor, Maine (153) DMA; all of the interference caused by WCBB-DT on Channel 10 is to areas *outside* of the Bangor DMA, and thus outside of WMEB-DT's television market.
- In addition, the service area of WMEB-DT serves more people than the service area of existing WMEB-TV, as a result of co-locating WMEB-DT with a commercial broadcaster in the Bangor DMA. All 28,000 persons affected by the proposed interference from WCBB-

DT will lie in areas not now served by WMEB-TV, as demonstrated in Figure 2, attached.

- WCBB and WMEB are part of a 5 station statewide network in which all stations carry the same programming. As reflected in the map depicting the location of the interference, Figure 1, attached, all of the areas suffering interference to the WMEB-DT signal are well within the service area of WCBB-DT, WMEB-DT's sister MPBC network station, and therefore no person will actually lose the ability to receive the MPBC network programming as a result of the additional interference to WMEB-DT.
- In addition, Cable and Satellite providers carry MPBC's network signal to the interference area.
- In addition, as a practical matter, terrain in the area will reduce actual interference to WMEB-DT.
- Even if the entire predicted interference area actually receives interference, the total amount of interference to WMEB-DT's signal from all sources will be 4.71% (see Exhibit 1), considerably less than the 10% interference the FCC has traditionally permitted in DTV channel allocation rulemakings.
- Operation of WCBB-DT on High Band VHF Channel 10 will allow MPBC to better serve our State residents at a significantly lower operational cost, and will provide better propagation characteristics for the WCBB-DT signal.
- MPBC is the only non-commercial public broadcaster in the State of Maine.
- The proposed interference from WCBB-DT corresponds to approximately 28,000 persons in our rural State, and as noted above, all of these persons will be able to receive the same programming from WCBB-DT.

Exhibit 1

V-Soft Communications Population Report

WMEB-D (09) Orono, ME - BLEDT20020508AAS

TV Incoming Interference Study

Signal Resolution: 1.5 km

Consider NTSC Taboo: Yes

**KWX error points are considered to
be interference free coverage.**

of radials computed for contours: 72

Contours calculated using 8 radial HAAT.

LR Profile Spacing Increment: 0.1 km

**Interference considered within the
reference station's noise limited contour.**

Threshold for reception: 36.0

Study Date: 8/10/2005

TV Database Date: 05-18-05

Population Database: 2000 US Census (PL)

Percentages calculated using a baseline population of 464,757.

Stations which cause interference:

Call Letters	H Units	Population	%	Area (sq. km)
WCBB (10-)	0	15618	3.360	371.03
CKLTTV (09+)	0	2850	0.613	494.37
WMURTV (09-)	0	5994	1.290	411.02



Figure 1



Figure 2

Masking Summary:

Call Letters	Total Interference		Unique Interference	
	Population	%	Population	%
WCBB (10-)	15618	3.360	13526	2.910
CKLTTV (09+)	2850	0.613	2363	0.508
WMURTV (09-)	5994	1.290	3415	0.735

Stations considered which do not cause interference:

WMTWTV (08-)

WMED-D.P (10)

WMED-D (10)

(09-)

WVER-D.P (09)

WVER-D.C (09)

Call Letters	City	State	Dist	Bear
WMTWTV (08-)	Poland Spring	ME	164.7	235.2
WCBB (10-)	Augusta	ME	96.0	230.9
WMED-D.P (10)	Calais	ME	143.4	74.7
WMED-D (10)	Calais	ME	143.4	74.7
CKLTTV (09+)	Saint John	NB	240.0	68.0
WMURTV (09-)	Manchester	NH	277.9	227.4
(09-)	Bridgewater	NS	351.3	94.2
WVER-D.P (09)	Rutland	VT	342.2	251.6
WVER-D.C (09)	Rutland	VT	342.2	251.6

Totals for WMEB-D (09)

Calculation Area Population:	485,704 (27366.4 sq. km)
Not Affected by Terrain Loss:	464,757 (25413.2 sq. km)
Total NTSC Interference:	8,357 (766.7 sq. km)
DTV Only Interference:	13,526 (301.9 sq. km)
Total DTV Interference:	15,618 (371.0 sq. km)
Interfered Population:	21,883 (1068.7 sq. km)
Interference Free:	442,874 (24344.5 sq. km)

Percent Interference:	4.71
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Terrain Blocked Population:	20,947 (1953.2 sq. km)
Contour Area Population:	486,759